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461.007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE** **RECEIVED**

In re Application of:  
Eduardo Trifoni, et al.  
Serial No.: 10/524,040  
Filed: 02/09/2005  
For: MEMBRANE... GENERATOR

27 OCT 2006

Legal Staff  
International Division

Hedman and Costigan  
1185 Avenue of the Americas  
New York, NY 10036  
October 27, 2006

**LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby requests an explanation by the Attorney Advisor why the Rule 47(a) petition was not granted since it is believed that (2) of the Rule has been complied with. The Attorney Advisor indicates that the Italian letter was not submitted but it clearly was as can be seen from the copy of the return receipt card filed herewith. In the event that the Patent Office lost it, another copy is filed herewith.

It is believed that Rule 47(a) (2) has been complied with since Ms. Tuosto clearly states that the letter and enclosures have not been returned and Mr. Trifoni has not responded. This is not surprising since as pointed out in Ms. Tuosto's first declaration of record, Mr. Trifoni has refused to execute two earlier applications in which Rule 47(a) petitions have been granted. It

is only logical to assume he will also be refusing to execute this application as well. Therefore, granting of the petition be made.

Respectfully submitted,  
Hedman and Costigan



Charles A. Muserlian #19,683  
Attorney for Applicants  
Tel. 212 302 8989

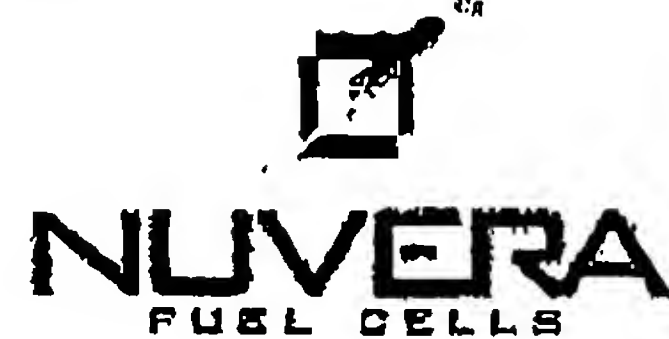
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Enclosures

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

  
Charles A. Muserlian #19,683

10-27-06



Raccomandata R.R.

Dott. Ing.  
Eduardo Trifoni  
Via Donizetti 5  
80127 Napoli (NA)

12 aprile 2006

Caro Eduardo

ti mando il testo completo di disegni e i documenti relativi alla domanda di brevetto U.S.  
SN. 10/524.040 - ns. rif. 205.

La firma, con la data manoscritta, è richiesta sia sulla "Declaration and Power of Attorney"  
che sull'"Assignment".

I documenti assieme al testo dovrebbero poi essere restituiti a NUVERA FUEL CELLS  
EUROPE S.r.l.

Cordiali saluti.

*per conto di*  
NUVERA FUEL CELLS EUROPE S.r.l.

*Amato*